

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

REAGAN WILLIAM TRANO
TX-1331926-R

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DOCKETED COMPLAINT NO.
07-109

AGREED FINAL ORDER

On this the 12th day of December, 2008, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the certification of Reagan William Trano (Respondent).

In order to conclude this matter, Reagan William Trano neither admits nor denies the truth of the Findings of Fact and Conclusions of Law contained herein and further agrees to the disciplinary action set out in this Agreed Final Order. The Board makes the following findings of fact and conclusions of law and enters this Order in accordance with TEX. OCC. CODE § 1103.458:

FINDINGS OF FACT

1. Respondent Reagan William Trano is a Texas state certified residential real estate appraiser, holds certification number TX-1331926-R, and has been certified by the Board during all times material to the above-noted complaint case.
2. On or about August 20th, 2004, Respondent appraised real property located at: 1906 Kings Pass, Heath, Texas ("the property").
3. On or about March 1st, 2007, the Complainant, Deloris Kraft-Longoria, an investigator with the Board, filed a staff-initiated complaint with the Board. The complaint alleged that the appraisal report on the property was performed incorrectly and had violations of the Uniform Standards of Professional Appraisal Practice.
4. On or about May 7th, 2007, the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. CHPT. 2001, and TEX. OCC. CODE CHPT. 1103, notified Respondent of the nature of the accusations involved and Respondent was afforded an opportunity to respond to the accusations in the complaint. Respondent's response to the complaint was received.
5. Respondent violated 22 TEX. ADMIN. CODE §§ 153.20(a)(3) and 155.1(a) by the following acts or omissions which did not conform to USPAP in effect at the time of the appraisal report for the property
 - a) Respondent failed to provide a brief summary of his determination of the property's highest and best use;

- b) Respondent failed to provide support for his determination of site value and cost new of improvements and failed to use appropriate and recognized methods and techniques and did not collect, verify, analyze and reconcile the cost new of improvements;
- c) Respondent failed to collect, verify, analyze and reconcile the comparable sales data adequately and did not use recognized methods and techniques in his sales comparison approach by not selecting the most appropriate and available comparable sales and not making appropriate adjustments to the comparables that were used for things such as location, view, a guest house and superior quality;
- d) Respondent failed to analyze the agreement of sale or detail his efforts to obtain the contract. Respondent also failed to disclose, analyze and reconcile the prior listing history of the property;
- e) Respondent failed to analyze all sales of the property within 3 years prior to the effective date of his appraisal; and,
- f) For the reasons detailed above, Respondent committed substantial errors of omission or commission that were the result of carelessness or negligence and led to the production of a misleading appraisal report.

CONCLUSIONS OF LAW

1. The Texas Appraiser Licensing and Certification Board has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq.
2. Respondent violated the following provisions of USPAP as prohibited by 22 TEX. ADMIN. CODE §§ 155.1(a) and 153.20(a)(3): USPAP Standards Rules: 1-3(b) & 2-2(b)(x); 1-4(b)(i) & 2-2(b)(ix); 1-4(b)(ii) & 2-2(b)(ix); 1-1(a) & 1-4(b); 1-4(a) & 2-2(b)(ix); 1-1(a) & 1-4(a); 1-5(a) & 2-2(b)(ix); 1-5(b) & 2-2(b)(ix); 1-1(a); 1-1(b); 1-1(c); and, 2-1(a).
3. Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(9) by omitting material facts.

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that the Respondent shall:

- a. Attend and complete a minimum, 15 classroom-hour course in USPAP;
- b. Attend and complete a minimum, 15 classroom-hour course in Residential Case Studies;
- c. Attend and complete a minimum, 15 classroom-hour course in Residential Report Writing;

- d. Pay to the Board an administrative penalty of \$2,000.00;
- e. Comply with all provisions of the Act, the Rules of the Board, and USPAP in the future, or be subjected to further disciplinary action.

ALL CLASSES required by this Agreed Final Order must be classes approved by the Board and must be completed within **TWELVE MONTHS** of the date of this Order and documentation of attendance and successful completion of the educational requirements of this Order shall be delivered to the Board on or before the end of the twelve-month period indicated. None of the classes or seminars required by this Order may be taken through correspondence courses. Unless otherwise noted above, all classes must be in-class, have an exam, and Respondent must have a passing grade on the exam given in each class. None of these required classes will count toward Respondent's continuing education requirements for certification.

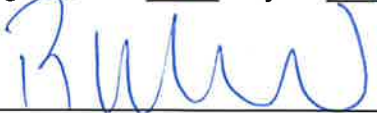
Payment of the **ADMINISTRATIVE PENALTY** must be by certified funds, and must be tendered within **TWENTY DAYS** of the date of this Agreed Final Order.

Failure to timely comply with any of the terms of this Final Agreed Order shall result in initiation of a contested case proceeding against Respondent and after opportunity for a hearing, possible imposition of disciplinary sanctions against Respondent as provided for by TEX. OCC. CODE § 1103.518.

Respondent, by signing this Agreed Final Order, waives the Respondent's right to a formal hearing and any right to seek judicial review of this Agreed Final Order. Information about this Agreed Final Order is subject to public information requests and notice of this Agreed Final Order will be published on the Board's web site.

THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

Signed this 5th day of December, 2008.



REAGAN WILLIAM TRANO

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 5th day of December, 2008, by REAGAN WILLIAM TRANO, to certify which, witness my



Notary Public Signature



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Notary Public's Printed Name

Signed by the Commissioner this 12th day of December, 2008.


Timothy K. Irvine, Commissioner
Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 12th day of December, 2008.


Clinton P. Sayers, Chairperson
Texas Appraiser Licensing and Certification Board